

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of WILLIAM STEFFES, Minor.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

MARY JANE WALLS,

Respondent-Appellant,

and

ARTHUR STEFFES, SR., and ANTONIO
WILLIAMS,

Respondents.

In the Matter of ARTHUR STEFFES, JR., Minor.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

MARY JANE WALLS,

Respondent-Appellant,

and

ARTHUR STEFFES, SR., and ANTONIO
WILLIAMS,

Respondents.

UNPUBLISHED
February 14, 2006

No. 263202
Kent Circuit Court
Family Division
LC No. 04-050354-NA

No. 263203
Kent Circuit Court
Family Division
LC No. 04-050355-NA

In the Matter of KOREANA STEFFES, Minor.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

MARY JANE WALLS,

Respondent-Appellant,

and

ARTHUR STEFFES, SR., and ANTONIO
WILLIAMS,

Respondents.

In the Matter of XAVION WILLIAMS, Minor.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

MARY JANE WALLS,

Respondent-Appellant,

and

ANTONIO WILLIAMS, and ARTHUR STEFFES,
SR.,

Respondents.

No. 263204
Kent Circuit Court
Family Division
LC No. 04-050356-NA

No. 263205
Kent Circuit Court
Family Division
LC No. 04-050357-NA

Before: Bandstra, P.J., and White and Fort Hood, JJ.

PER CURIAM.

Respondent Mary Jane Walls¹ appeals as of right from the trial court order terminating her parental rights to the minor children under MCL 712A.19b(3)(c)(i) and (g). We affirm.

The trial court did not clearly err in finding the statutory grounds for termination established by clear and convincing evidence. MCR 3.977(J); *In re Trejo*, 462 Mich 341, 353; 612 NW2d 407 (2000). The children entered foster care in January 2004 because of environmental, educational, and medical neglect; domestic violence and suspected abuse. There were previous Children's Protective Services (CPS) referrals and unexplained injuries. The home was dirty and in need of repairs. Respondent had frequently suffered abuse from the children's fathers. A preliminary hearing was held where testimony was received from the caseworker and CPS worker, and admissions were made by respondent. An order of disposition was entered on April 9, 2004.

Respondent's parent agency agreement (PAA) required improvements in emotional stability, parenting skills, substance abuse, domestic relations, housing and employment. While respondent made some progress, her overall compliance was uneven. She failed to turn in 15 out of 17 drug screens, despite being informed that missed screens were considered positive. Respondent also failed to document Alcoholics Anonymous (AA) attendance, which was a requirement of her PAA. Further, she dropped out of the Women's Trauma Group at Arbor Circle and failed to start counseling for several months. She never obtained employment or suitable housing. Respondent's parenting skills needed improvement; while she attended visitations regularly, and sometimes displayed good parenting skills, caseworkers testified that problems with the children's behavior worsened, with the children acting very disruptive and respondent failing to control them.

Respondent also failed to make substantial progress in the areas of domestic relations and emotional stability. Respondent was unwilling to obtain a personal protection order (PPO) despite repeated abuse by Antonio Williams, Xavion's father. Respondent continued her relationship with Williams, who continued to beat her, used marijuana and cocaine, and ceased working on his PAA. While the specific requirement that respondent obtain a PPO apparently was not added to her PAA until November 2004, earlier PAAs required that she avoid abusive relationships and attend domestic violence programs. Seeing the effects of domestic violence on respondent's face and body, caseworkers repeatedly urged her to obtain a PPO. William, who had witnessed the most violence against respondent by Steffes, Sr., and Antonio Williams, clearly was damaged by the experience. Arthur, too, felt helpless to protect his mother from Williams. Domestic violence in front of a child is a circumstance supporting termination of parental rights. *In re Miller*, 182 Mich App 70, 80; 451 NW2d 576 (1990). Here, as late as January 2005, respondent rode with Williams to a visitation and let him talk to the children on her cell phone. In October 2004, respondent attempted to obtain couples counseling with Williams, and in February 2005 he was found sleeping in her home. Although she testified that she no longer had a relationship with him and understood the dynamics of domestic violence,

¹ Respondent fathers have not appealed the termination of their parental rights.

there was much evidence in the record to support the trial court's conclusion that she made insufficient progress in the area of domestic relations.

Because respondent did not adequately address the barriers to reunification, the children would continue to remain at risk in her care. The evidence clearly and convincingly showed that respondent failed to provide proper care and custody, failed to rectify the conditions that brought the children into care, and that she would be unable to do so within a reasonable time. MCL 712A.19b(3)(c)(i) and (g).

Further, it was not established by the evidence that termination of respondent's parental rights was clearly not in the best interests of the children. MCL 712A.19b(5); *Trejo, supra* at 356-357. Although respondent did have a strong bond with the children, she was unable to sufficiently rectify the many problems that necessitated foster care and her parenting skills further deteriorated near the end of the case. A parent must benefit from parenting classes and other services in order to assure that the children will have a proper home. *In re Gazella*, 264 Mich App 668, 676-677; 692 NW2d 708 (2005). Respondent failed to make sufficient progress on her goals to ensure the children's best interests would be served by returning them to her care. The children need a safe, stable, loving home, which respondent cannot provide. The trial court did not clearly err in terminating respondent's parental rights to the minor children.

Affirmed.

/s/ Richard A. Bandstra
/s/ Helene N. White
/s/ Karen M. Fort Hood